

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CROSS COUNTRY MOTOR CLUB, INC.)	
)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION
)	NO. 04-11992-NG
AUTO SERVICES COMPANY, INC.)	
)	
Defendant.)	
)	

JOINT MOTION TO EXTEND THE TIME TO COMPLETE FACT DISCOVERY

Defendant Auto Services Company, Inc. and plaintiff Cross Country Motor Club, Inc. (collectively, the “parties”) hereby move to extend the time to complete fact discovery. As grounds for this motion, the parties state as follows:

1. On November 11, 2004, the Court issued a discovery order requiring that all fact discovery be completed by March 1, 2005.
2. On or about December 3, 2004, the parties exchanged initial disclosures pursuant to Fed. R. Civ. P. 26.
3. Prior to completing any additional discovery, the parties attempted to settle their dispute and attended a mediation on December 8, 2004 before Magistrate Judge Neiman. The parties were unable to reach an agreement.
4. The parties have exchanged discovery requests and are in the process of responding to those requests.
5. The parties will require additional time to complete the depositions of fact witnesses.
6. The parties request that the Court issue an Order amending the Scheduling Order to extend the time to complete fact discovery to May 13, 2005. The parties also request that the

Court continue the status hearing, currently scheduled for February 17, 2005, to April 19, 2005, or to another day in April 2005 that is convenient for the Court.

WHEREFORE, the parties jointly request that the Court issue an Order:

- (a) extending the time to complete fact discovery to May 13, 2005; and
- (b) continuing the status hearing, currently scheduled for February 17, 2005, to April 19, 2005, or to another day in April 2005 that is convenient for the Court.

Respectfully submitted,

Cross Country Motor Club, Inc.

By its attorneys,

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Dated: February 7, 2005